

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of  
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

DEFENDANTS LISTED ON EXHIBIT A,

Defendants.

Adv. Pro. No. 08-01789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

**NOTICE OF WITHDRAWAL OF REQUEST TO DEPOSE  
BERNARD L. MADOFF ON DAY TWO DEPOSITION TOPICS**

PLEASE TAKE NOTICE that on May 31, 2017, the defendants represented by Loeb & Loeb LLP whose fact discovery had not closed prior to July 7, 2016 and identified on Exhibit A hereto (the “Defendants”) filed the *Notice of Request to Depose Bernard L. Madoff on Day Two Deposition Topics* (the “Deposition Notice”) [Docket No. 16110].

PLEASE TAKE FURTHER NOTICE that the Defendants hereby withdraw the  
Deposition Notice, without prejudice.

Dated: New York, New York  
June 28, 2017

**LOEB & LOEB LLP**

By: /s/ Daniel B. Besikof  
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*Attorneys for Defendants listed on Exhibit A*

**EXHIBIT A**

**DEFENDANTS**

Case Name

Adv. Proc. No.

Picard v. Kenneth Evenstad Trust, et al.

10-4342-SMB

- Kenneth L. Evenstad Revocable Trust u/a/d May 2, 2000
- Kenneth L. Evenstad in his capacity as Grantor and Trustee for the Kenneth L. Evenstad Revocable Trust
- Grace B. Evenstad in her capacity as Trustee for the Kenneth L. Evenstad Revocable Trust
- Kenneth L. Evenstad, individually
- Grace B. Evenstad, individually

Picard v. Kenneth Evenstad Trust, et al.

10-4933-SMB

- Kenneth L. Evenstad Revocable Trust u/a/d May 2, 2000
- Kenneth L. Evenstad, as Grantor and Trustee of the Kenneth L. Evenstad Revocable Trust and individually
- Grace B. Evenstad, as Trustee of the Kenneth L. Evenstad Revocable Trust and individually

Picard v. Mark Evenstad Trust, et al.

10-4512-SMB

- Mark B. Evenstad Revocable Trust u/a dated January 30, 2003
- Mark B. Evenstad in his capacity as Grantor and Trustee for the Mark B. Evenstad Revocable Trust
- Shannon Mahoney Evenstad in her capacity as Trustee for the Mark B. Evenstad Revocable Trust
- Mark B. Evenstad, individually
- Shannon Mahoney Evenstad, individually

Picard v. MBE Preferred Ltd Partnership, et al.

10-4952-SMB

- MBE Preferred Limited Partnership
- MBE General LLC, as the General Partner of MBE Preferred Limited Partnership
- Kenneth L. Evenstad Revocable Trust u/a/d May 2, 2000 as a Limited Partner of MBE Preferred Limited Partnership
- Kenneth L. Evenstad in his capacity as Grantor and Trustee for the Kenneth L. Evenstad Revocable Trust u/a/d May 2, 2000
- Grace B. Evenstad in her capacity as Trustee for the Kenneth L. Evenstad Revocable Trust u/a/d May 2, 2000
- Kenneth L. Evenstad, individually
- Grace B. Evenstad, individually

Picard v. Serene Warren Trust, et al.

10-4514-SMB

- Serene Warren Revocable Trust u/a/d September 15, 2005
- Serene Warren and Christopher Warren, as trustees of the Serene Warren Revocable Trust
- Serene Warren, individually

Picard v. SEW Preferred Ltd Partnership, et al.

10-4945-SMB

- Sew Preferred Limited Partnership
- Sew General, LLC
- Grace B. Evenstad Revocable Trust
- Grace B. Evenstad, as co-trustee of the Grace B. Evenstad Revocable Trust
- Kenneth L. Evenstad, as co-trustee of the Grace B. Evenstad Revocable Trust
- Serene Warren Revocable Trust
- Serene Warren, as co-trustee of the Serene Warren Revocable Trust
- Christopher Warren, as co-trustee of the Serene Warren Revocable Trust

Picard v. Fiterman Investment Fund, et al.

10-4354-SMB

- Fiterman Investment Fund
- Verdeway Investment Partners LLC
- Steven Fiterman, individually and in his capacity as general partner of Fiterman Investment Fund
- Susan Fiterman, individually and in her capacity as general partner of Fiterman Investment Fund